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Her Excellency Kaja Kallas
High Representative of the Union for Foreign Affairs and Security

Dear HR/VP Kallas,

I write to urge you to propose that the Council of the European Union adopt targeted sanctions under the EU Global Human Rights Sanctions Regime against Justice Alexandre de Moraes of Brazil's Supreme Federal Court and his allies on the Court for their egregious violations of human rights and democratic principles.¹ The actions of Justice Moraes constitute a grave threat to freedom of expression and the rule of law, undermining the democratic foundations Brazil shares with the EU.²

Since 2019, Justice Moraes has unilaterally assumed the roles of investigator, prosecutor, and judge, issuing secret orders to censor political speech, freeze assets, and jail critics without due process.³ Numerous Brazilian media outlets, including Brazil's largest newspaper—Folha de S.Paulo, have highlighted how Justice Moraes' secret censorship orders violate Brazil's

¹ See, e.g., Mary Anastasia O'Grady, [Trump's Brazilian Trade War](#), WALL STREET JOURNAL (July 13, 2025) ("In a clear overreach of its jurisdiction since 2019, Brazil's Supreme Court has empowered itself to investigate, prosecute and judge political cases.").

² Mary Anastasia O'Grady, [The Return of Lula and the Judicial Threat to Brazil's Democracy](#), WALL STREET JOURNAL (Dec. 25, 2022) (noting that Brazil's Supreme Court "is overstepping its jurisdiction and flouting the rule of law for political reasons without consequences. It's one thing for a coequal branch of government to guard its own prerogatives jealously. But when the highest court becomes an ally of ideological and corrupt politicians, democracy is in grave danger. Brazil has arrived at such a moment.").

³ Mary Anastasia O'Grady, [Brazil's Crackdown on Free Speech](#), WALL ST. J. (Jan. 22, 2023) (noting that there is an "imminent danger to liberty now lurking in Brazil: a Supreme Court that is gagging its critics, freezing their assets and even jailing some, all without due process."); Jack Nicas & Andre Spigariol, [To Defend Democracy, Is Brazil's Top Court Going Too Far?](#) N.Y. TIMES (Sept. 26, 2022) ("In many cases, Mr. Moraes has acted unilaterally, emboldened by new powers the court granted itself in 2019 that allow it to, in effect, act as an investigator, prosecutor and judge all at once in some cases.").

Constitution, preventing scrutiny and adversarial proceedings.⁴ And major U.S. media outlets have recognized that Justice Moraes' unprecedented actions—including his ban on the platform X over Elon Musk's refusal to bow to his censorship demands and threats to fine users accessing it via VPN last year—have aligned the Court with authoritarian regimes like China and Russia.⁵

Now, Justice Moraes is overseeing the politicized prosecution of his greatest political enemy, former President Jair Bolsonaro, on baseless charges—seeking to imprison him for life and prevent him from running, and winning, Brazil's 2026 presidential election.⁶ Just a few days ago, Moraes not only banned Bolsonaro from using social media but banned third parties from broadcasting, retransmitting, or disseminating “audio, video or transcripts of interviews [with Bolsonaro] on any third-party social media platforms.”⁷

These actions contravene the EU's commitment to human rights, particularly freedom of expression as enshrined in Article 11 of the EU Charter of Fundamental Rights.⁸ Moraes has pursued his censorship campaign well outside his jurisdiction, threatening not only Brazil's democracy but also the global democratic order the EU seeks to uphold.⁹

As High Representative, you have the authority to propose targeted sanctions, including asset freezes and travel bans, against Justice Moraes and complicit Supreme Court justices under the EU Global Human Rights Sanctions Regime, which allows the EU to target “individuals and

⁴ See, e.g., Editorial Board, *Censura promovida por Moraes tem de acabar* [Censorship promoted by Moraes must end], FOLHA DE SÃO PAULO (Apr. 14, 2024) (“Secret orders from Alexandre de Moraes prohibit citizens from expressing themselves on social networks. The secrecy of these decisions prevents society from scrutinizing the very particular reading of the constitutional text on which they are based. Not even the lawyers of the banished are given access to the edicts of the Great Censor.”).

⁵ Editorial Board, *In this free speech fight, Musk's X has marked the right position*, WASH. POST (Sept. 4, 2024) (“If this sounds authoritarian, it is. Whatever the threat to democracy that the accounts Mr. Moraes wanted gone might have posed, the threat from one government official limiting the speech of 220 million people is greater. Taken together with Mr. Moraes's choice to freeze the assets of internet-provider Starlink, a separate company of Mr. Musk's, this move aligns Brazil not with the free world but with the likes of China and Russia.”).

⁶ Mary Anastasia O'Grady, *Trump's Brazilian Trade War*, WALL ST. J. (July 13, 2025). (“Whether Mr. Bolsonaro is guilty of some or all of what he's accused of might come out in a fair trial. But he's unlikely to get one. In a clear overreach of its jurisdiction since 2019, Brazil's Supreme Court has empowered itself to investigate, prosecute and judge political cases. The lead justice in the Bolsonaro case, Alexandre de Moraes, hasn't hidden his prejudicial zeal to convict. Lots of Brazilians feel, with good reason, that Mr. Bolsonaro is being railroaded. He's already been banned from running for office until 2030 because he criticized the electronic voting system before and after the 2022 presidential election. In real democracies that's called free speech. [...] Even some Brazilians who don't support Mr. Bolsonaro see his case as reflective of the wider collapse of the rule of law as the Brazilian Supreme Court has moved to silence political criticism by labeling it ‘antidemocratic.’ Last month the court voted 8-3 to declare tech companies like Google and Meta liable for content posted on their platforms that the court declares ‘illegal.’ [...] The deterioration of democratic norms in Brazil is alarming.”).

⁷ Márcio Falcão & Paloma Rodrigues, *Moraes reforça proibição do uso de redes sociais por Bolsonaro e alerta para risco de prisão* [Moraes reinforces Bolsonaro's ban on social media use and warns of the risk of arrest], GLOBO (July 21, 2025).

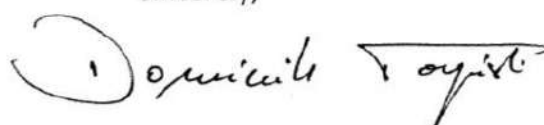
⁸ Charter of Fundamental Rights of the European Union art. 11, 2012 O.J. (C 326) 391.

⁹ See Rumble Inc. and Trump Media & Tech. Grp. Corp. v. Moraes, No. 8:25-cv-00411-MSS-AAS, *Plaintiffs' Motion for Leave to Supplement Pleading Under F.R.C.P. 15(d)*, Doc. 44 (M.D. Fla. July 14, 2025) (noting that Moraes' July 11, 2025 order seeks to compel Rumble, a U.S.-based company with no legal presence in Brazil, to censor a U.S. citizen's account due to his constitutionally protected speech made on U.S. soil.).

entities responsible for serious human rights violations and abuses worldwide.”¹⁰ The EU must send a clear message that judicial authoritarianism and censorship will not be tolerated, particularly in a partner nation like Brazil. I also urge the Commission to engage with Brazilian authorities to demand transparency and adherence to democratic norms.

Unfortunately, in today’s Brazil, an unelected judge is destroying democracy in the name of defending it.¹¹ The EU must act before it is too late.

Sincerely,



Dominik Tarczynski
Member of the European Parliament

Co-signed by:

TYNKKYNEN Sebastian, ECR
MÜLLER Piotr, ECR
ZLOTOWSKI Kosma, ECR
TANGER CORRÊA António, Patriots
MULARCZYK Arkadiusz, ECR
BOCHENSKI Tobiasz, ECR
OBAJTEK Daniel, ECR
JORON Virginie, Patriots

LATINOPOULOU Afroditi, Patriots
FIDANZA Carlo, ECR
MOREIRA DE SÁ Tiago, Patriots
FRAGKOS Emmanouil, ECR
ALEXANDRAKI Galato, ECR
MALAG Marlena, ECR
MARTÍN FRÍAS Jorge, Patriots

¹⁰ [EU Global Human Rights Sanctions Regime: restrictive measures prolonged](#), EUROPEAN COUNCIL (Dec. 4, 2023).

¹¹ See Editorial Board, [Alexandre de Moraes ataca de novo \[Alexandre de Moraes strikes again\]](#), Estado de São Paulo (Aug. 28, 2024). (“Concretely, it must be said, if there is something going on in the country that can, in fact, destabilize the institutions and, at the limit, threaten the Democratic Rule of Law, it is the monocratic attitude of Minister Alexandre de Moraes and his apparent inability to recognize errors in the conduct of secret inquiries that should have been closed a long time ago. Such a concentration of power in an authority or institution is diametrically opposed to the fundamental republican ideal. By acting as if he hovered above good and evil by virtue of his eventual moral virtues or good intentions, Moraes demeans the very Democratic State of Law that he swears to defend.”).